

JERRY S. BUSBY
Nevada Bar #001107
COOPER LEVENSON, P.A.
6060 Elton Avenue – Suite A
Las Vegas, Nevada 89107
(702) 366-1125
FAX: (702) 366-1857
jbusby@cooperlevenson.com

Attorneys for Defendant
SMITH'S FOOD & DRUG CENTERS, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AMANDA MANNER,

Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS, INC.,
d/b/a SMITH'S; DOE INDIVIDUALS 1
through 10; ROE CORPORATIONS 11
through 20; and ABC LIMITED LIABILITY
COMPANIES 21 through 30, inclusive,

Defendants.

CASE NO. 2:13-cv-01998-RFB-GWF

**STIPULATION AND ORDER TO
REOPEN DISCOVERY**

WHEREAS, by Order of this Court dated February 3, 2016 (Doc. #30), this case was set for trial on May 17, 2016 with a Calendar Call to take place on May 10, 2016; and

WHEREAS, after this matter was scheduled for trial, Defense counsel learned that Plaintiff was involved in what is believed to be a serious motor vehicle accident that occurred during the latter part of 2015; and

WHEREAS, Plaintiff's claims for damages in this litigation includes damages for future medical treatment for the rest of Plaintiff's life; and

WHEREAS, Plaintiff has received medical treatment after her 2015 motor vehicle accident which included treatment to the same areas of the body which Plaintiff is claiming were injured at the SMITH'S grocery store; and

WHEREAS, the parties agree that it is necessary to reopen discovery to allow the parties to discover information about Plaintiff's 2015 motor vehicle accident, the injuries caused by said

1 accident, and to evaluate and have experts opine on the impact that the 2015 accident has on upon
2 the damages being claimed in this case;

3 IT IS HEREBY STIPULATED AND AGREED that the trial date of May 17, 2016 be
4 vacated and that discovery be reopened for a period of 90 days to allow the Plaintiff to complete her
5 treatment from the 2015 accident, for the parties to recover all of the medical records subsequent to
6 the 2015 accident, and for the parties to have their respective experts review and analyze the
7 additional medical evidence and revise their expert reports on how the 2015 accident and the new
8 evidence arising therefrom affects the damages in this case.

9 The parties further agree that if this stipulation is approved by the Court, the parties will
10 submit a revised discovery plan to the Court for approval.

11 Respectfully submitted this 12th day of April, 2016.

12 NETTLES LAW FIRM

COOPER LEVENSON, P.A.

13
14 /s/ Joel S. Hengstler
15 JOEL S. HENGSTLER, ESQ.
16 Nevada Bar # 011597
17 1389 Galleria Drive – Suite 200
18 Henderson, Nevada 89014
(702) 434-8282
Attorneys for Plaintiff
AMANDA MANNER

/s/ Jerry S. Busby
JERRY S. BUSBY, ESQ.
Nevada Bar # 001107
6060 Elton Avenue – Suite A
Las Vegas, Nevada 89107
(702) 366-1125
Attorneys for Defendant
SMITH'S FOOD & DRUG CENTERS, INC.

19 ORDER

20 IT IS ORDERED that the trial date of May 17, 2016 is vacated and that discovery be
21 reopened for a period of 90 days. It is further ordered that the parties shall submit a proposed
22 discovery plan and scheduling order to this Court for approval within two weeks of the date of this
23 Order.

24
25 

26 RICHARD F. BOULWARE, II
27 United States District Judge

28 DATED: April 20, 2016.